

# **EXHIBIT A**

UNITED STATES DISTRICT COURT

DISTRICT OF MAINE

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JANE C. FORRESTER WINNE, et al., CIVIL ACTION

Plaintiffs

Docket No: 1:16-cv-229-JDL

-versus-

NATIONAL COLLEGIATE STUDENT

LOAN TRUSTS, et al.,

Defendants

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Transcript of Proceedings

Pursuant to notice, the above-entitled matter came on for **Oral Argument** held before **THE HONORABLE JON D. LEVY**, United States District Court Judge, in the United States District Court, Edward T. Gignoux Courthouse, 156 Federal Street, Portland, Maine on the 1st day of August, 2017 at 10:00 a.m. as follows:

(Appearances on next page)

Dennis R. Ford  
Official Court Reporter

(Prepared from manual stenography  
and computer aided transcription)

Appearances:

For the Plaintiffs: Cynthia A. Dill, Esquire

For Defendant National Collegiate Trusts:

Michael D. Alltmont, Esquire

Bryan C. Shartle, Esquire

For Defendant Turnstile Capital:

Adam J. Shub, Esquire

For Defendant U.S. Bank:

John J. Aromando, Esquire

For Defendant Wilmington Trust:

Roy Arnold, Esquire

Rebecca G. Klotzle, Esquire

For Defendant First Marblehead:

Amanda R. Lawrence, Esquire

John W. Van Lonkhuyzen, Esquire

1       Marblehead to make their arguments about not having  
2       notice, but with all due respect, when I noticed the  
3       deposition, I had no idea that Transworld Systems was  
4       going to appear as the 30(b)(6) representative of the  
5       trusts. It was a surprise to me.

6                  THE COURT: Putting aside for the moment the  
7       question of whether I should -- whether it's  
8       permissible under Rule 32, and I'll just tell you right  
9       now that I'm -- first I want to hear from the  
10      defendants -- but I lean toward the view that I am  
11      permitted to consider the deposition. My question to  
12      you is why does it matter?

13                 MS. DILL: Well, I think it matters because  
14      Transworld System knows that the plaintiffs' theory of  
15      the case is that TERI purchased these loans and  
16      therefore the trusts don't own them and therefore the  
17      lawsuits are fraudulent, and nonetheless, when the  
18      representative who's called to give information about  
19      that has no idea, really has no idea whether TERI  
20      purchased the loans.

21                 Here's somebody who has no legal training who says  
22      well, I know TERI didn't purchase the loans because I  
23      looked at the docket and because some guys at First  
24      Marblehead told me.

25                 THE COURT: Okay. So is it your view that the